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CHIEF CLERK'S OFFICE

Data Net Systems, L.L.C.

Petition for emergency relief to protect
Petitioner's Annual Report from disclosure
for not less than five years in order to
protect highly proprietary information.

Docket No. 03-0096

PETITION

NOW COMES, Data Net Systems, L.L.C. ("Petitioner") and hereby petitions the Illinois Commerce Commission ("Commission") for emergency relief to protect Petitioner's Annual Report from disclosure for not less than five years in order to protect highly proprietary information included therein. In support of this Petition, Petitioner states as follows:

1. Petitioner is certified by the Commission to provide competitive telecommunications services in the state of Illinois.
2. Petitioner is required to file an Annual Report pursuant to Section 5-109 of The Public Utilities Act (220ILCS 5/5-109).
3. The Annual Report of the Petitioner contains highly proprietary and confidential commercial and financial information, the disclosure of which to competitors, or potential competitors, would be detrimental to Petitioner.
4. The telecommunications industry is highly competitive, and it is imperative that public disclosure of confidential information contained in the Annual Report of Petitioner be avoided for a period of at least five years following the issuance of an Order

by the Commission because of the competitive harm which disclosure of such information would likely cause Petitioner.

5. Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140/7(g), exempts from public disclosure "trade secrets and commercial or financial information...where the trade secrets or information are proprietary, privileged or confidential." The Annual Report of Petitioner, which is the subject matter of this Petition, falls within this exemption.

6. Petitioner seeks an Order from this Commission, without hearing, protecting from disclosure in this entirety Petitioner's Annual Report for a period of not less than five years.

WHEREFORE, Petitioner respectfully requests that the Commission enter an Order, without hearing, protecting from disclosure in its entirety the 2002 Annual Report of the Petitioner for a period of not less five years.

DATED this 7 day of February, 2003.

Respectfully submitted,

Data Net Systems, L.L.C

By: Michael W. Ward
One of its Attorneys

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STATE OF ILLINOIS

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COUNTY OF LAKE

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VERIFICATION

Michael W. Ward being first duly sworn on oath, deposes and states that he is the attorney of Data Net Systems, L.L.C., that he has read the above and foregoing Petition and knows the contents thereof, and that the same are true to the best of his knowledge, information and belief.

Michael W. Ward

Michael W. Ward

Subscribed and sworn to before

me this 7th day to February, 2003.

Scott B. Nesva

Notary Public

